

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION**

UNITED STATES OF AMERICA,

v.

CHRISTOPHER WOODS,

Defendant.

CASE NO.: 2:20-cr-23

ORDER

Defendant has been charged in this action with one count of Possession of Contraband in Prison, in violation of 18 U.S.C. § 1791(a)(2). Doc. 1. The Court held an Initial Appearance and Arraignment in this case on April 20, 2020. At that hearing, all parties agreed that because Defendant was serving a federal sentence, he would remain in custody even if this Court were to find that he qualifies for pre-trial release in the instant case. Therefore, the Court concluded that the issue of pre-trial release was moot, at least at that time. Doc. 19. Defendant's counsel concurred.

Today, April 21, 2020, the Bureau of Prisons informed the Court and the parties to this action that Defendant was granted an immediate release from federal custody due to the COVID-19 pandemic. However, the information before the Court also indicates that Defendant was convicted and sentenced to life in prison in the State of Virginia, and that the State of Virginia has issued a detainer for Defendant. Therefore, absent any other action, Defendant's immediate release from federal custody will, in all likelihood, result in his transfer to the Virginia Department of Corrections.

In light of these facts, the Court finds that this case involves a serious risk that Defendant will not appear at future proceedings in this matter due to the Virginia detainer, and, therefore, the Court moves *sua sponte* for Defendant to be detained in accordance with 18 U.S.C. § 3142(f)(2). Defendant is **ORDERED** to file any response to this Order on or before April 28, 2020. The Government is **ORDERED** to file any motion or brief concerning this issue on or before April 28, 2020. The Court will schedule a hearing on this matter, to the extent one is necessary, after receiving the parties' submissions. Until the Court's *sua sponte* motion has been resolved, Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshals Service for the purpose of an appearance in connection with a court proceeding.

SO ORDERED, this 21st day of April, 2020.

A handwritten signature in blue ink, appearing to read 'B. Cheesbro', is written above a horizontal line.

BENJAMIN W. CHEESBRO
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA